

RECEIVED  
CENTRAL FAX CENTER

**WOOD, HERRON & EVANS, L.L.P.**

AUG 01 2005

BRUCE TITTEL  
DONALD F. FREI  
DAVID S. STALLARD  
J. ROBERT CHAMBERS  
GREGORY J. LUNN  
KURT L. GROSSMAN  
CLEMENT H. LUKEN, JR.  
THOMAS J. BURGER  
GREGORY F. AHRENS  
WAYNE L. JACOBS  
KURT A. SUMME  
KEVIN G. ROONEY  
KEITH R. HAUPT  
THEODORE R. REMAKIUS  
THOMAS W. HUMPHREY  
SCOTT A. STINEBRUNER  
DAVID H. BRINKMAN  
BEVERLY A. LYMAN, PH.D.  
KRISTIL L. DAVIDSON

2700 CAREW TOWER  
441 VINE STREET  
CINCINNATI, OHIO 45202-2917  
TELEPHONE: 513-241-2324  
FACSIMILE: 513-241-6234  
WEBSITE: www.whepatent.com

PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

EDMUND P. WOOD 1923-1968  
TRUMAN A. HERRON 1935-1976  
EDWARD B. EVANS 1936-1971

JOSEPH R. JORDAN  
C. RICHARD EBY  
DAVID E. FRITCHARD

KATHRYN E. SMITH  
P. ANDREW BLATT, Ph.D.  
DAVID E. JEFFERIES  
WILLIAM R. ALLEN, Ph.D.  
JOHN PAUL DAVIS  
DOUGLAS A. SCHOLER  
BRETT A. SCHATZ  
DAVID W. DORTON  
SARAH OTTE GRABER  
STEVEN W. BENINTENDI, Ph.D.  
RANDALL S. JACKSON, JR.

OF COUNSEL  
JOHN D. POFFENBERGER  
DAVID J. JOSEPHIC  
THOMAS W. FLYNN  
J. DWIGHT POFFENBERGER, JR.  
BRADLEY D. BECK

August 1, 2005

**FACSIMILE COVER SHEET**

To: Examiner Chrystine Pham  
Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22213-1450

Fax: 571-273-8300

Enclosures:

Fax Cover Sheet containing Certificate of  
Facsimile Transmission (1 page)  
Notice of Appeal containing Certificate of  
Facsimile Transmission and Authorization to  
Charge Deposit Account 23-3000 in the  
amount of \$500.00 for the Fee (1 page)

From: Scott A. Stinebruner  
Reg. No. 38,323

Re: U.S. Patent Application  
Serial No. 09/998,511  
Filed: November 30, 2001  
Applicant: Jeremy Alan Arnold et al.  
Art Unit: 2192  
Confirmation No.: 6560  
Our Ref: IBM/194

Pages: 2 (including cover sheet)

RECEIVED  
OICE/IAP

AUG 02 2005

**MESSAGE/COMMENTS  
OFFICIAL**

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence and the enclosures noted herein (2 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Chrystine Pham, Art Unit 2192, Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450 at 571-273-8300 on August 1, 2005.

*Judith L. Volk*  
Judith L. Volk

*August 1, 2005*  
Date

The information in this facsimile message is ATTORNEY-CLIENT PRIVILEGED, WORK PRODUCT and/or CONFIDENTIAL INFORMATION intended only for the use of the individual or entity to whom this message is addressed. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or reproduction of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone and return the original message to us at the above address via mail. Thank you. If transmission is interrupted or of poor quality, please notify us immediately by calling (513) 241-2324 and ask for the sender's assistant. **OUR FAX NUMBER IS (513) 241-6234.**

AUG 01 2005

PATENT

Attorney Docket No. IBM/194  
Confirmation No. 6560

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jeremy Alan Arnold et al. Art Unit: 2192  
 Serial No.: 09/998,511 Examiner: Chrystine Pham  
 Filed: November 30, 2001 Atty. Docket No.: IBM/194  
 For: INHERITANCE BREAKPOINTS FOR USE IN DEBUGGING OBJECT-ORIENTED  
 COMPUTER PROGRAMS

Mail Stop AF  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM  
THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

Applicants hereby appeal to the Board of Appeals from the decision of the Primary Examiner mailed May 4, 2005 finally rejecting claims 1-5, 7-15 and 17-30.

The item(s) checked below are appropriate:

1. ☐ Applicants hereby petition for a      month extension of time to reply to the final rejection.  
 A check in the amount of \$      is attached.

2. ☒ Appeal Fee: XXX Other than a small entity Fee: \$500.00  
     Small Entity Status previously Fee: \$      
     Requested and is still proper  
     Small Entity Status Requested Fee: \$

3. ☒ Payment

XXXCheck attached for the sum of \$     .

Please charge the sum of \$500.00 and any deficiency or credit  
 any overpayment to Deposit Account No. 23-3000.

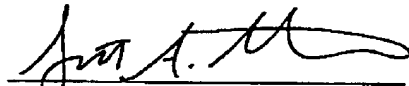
08/02/2005 JBALINAN 00000038 233000 09998511

01 FC:1401 500.00 DA

Wood, Herron & Evans, L.L.P.  
 2700 Carew Tower  
 441 Vine Street  
 Cincinnati, Ohio 45202  
 Telephone: (513) 241-2324  
 Facsimile: (513) 241-6234

Respectfully submitted,

By:

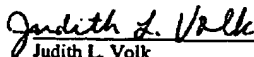
  
 Scott A. Stinebruner  
 Reg. No. 38,323

Date:

1 AUG 2005

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and the enclosures noted herein (2 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Chrystine Pham, Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 at 571-273-8300 on August 1, 2005.

  
 Judith L. Volk

Date August 1, 2005

Page 1 of 1  
 Serial No. 09/998,511  
 Notice of Appeal dated August 1, 2005  
 Reply to Final Office Action dated May 4, 2005  
 IBM Docket ROC920010096US1  
 WH&E IBM/194  
 K:\ibm\194\Notice of Appeal.wpd